

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

Dennis E. Hecker,

BKY No. 09-50779

Debtor.

Randall L. Seaver, Trustee,

ADV No. 10-05021

Plaintiff,

v.

Northstate Financial Corporation;
Southview Chevrolet Co.; Bremer Bank, N.A.;
Chrysler Financial Services Americas LLC;
General Motors Acceptance Corporation; and
National City Commercial Capital Company, LLC;

Defendants.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR JUDGMENT

This adversary proceeding came before the court upon the application of the plaintiff for default judgment against defendants Northstate Financial Corporation, Southview Chevrolet Co., General Motors Acceptance Corporation and National City Commercial Capital Company, LLC. Based upon the application, the declaration of Randall L. Seaver, the complaint and exhibits thereto, and the file, the court makes the following:

FINDINGS OF FACT

1. The plaintiff is the trustee in this bankruptcy case.
2. The debtor's bankruptcy case was commenced on June 4, 2009.

3. Defendants Northstate and Southview were owned and controlled by the debtor prior to commencement of the debtor's bankruptcy case.

4. The plaintiff filed the complaint in this adversary proceeding on June 18, 2010.

5. The plaintiff properly served the summons and complaint on all of the defendants except GMAC on June 23, 2010. GMAC was served on July 15, 2010.

6. More than 30 days have passed since the summons for the complaint was issued.

7. Defendants Northstate, Southview, GMAC and National City have not served or filed an answer or otherwise defended against the plaintiff's complaint.

8. The following three vehicles:

2006 Harley Davidson, VIN# 1HD1 PPG116K 97621;

2003 Harley Davidson, VIN# 1HD1 HAZ4X3K842893;

1988 Mercedes Benz, 560SL, VIN# WDBBA48DJA088304.

although nominally titled in the name of Northstate (the two motorcycles) or Southview (the Mercedes) were in reality property of the debtor and became property of the estate on the filing date.

CONCLUSIONS OF LAW

1. Defendants Northstate and Southview have no interest in the three vehicles notwithstanding that record title to these vehicles is held in Northstate or Southview.

2. Defendants GMAC and
National City do not hold any lien, security or other
interest in any of the three vehicles.

ORDER FOR JUDGMENT

Let judgment be entered accordingly.

Dated: *January 18, 2011*

/s/ Robert J. Kressel

Robert J. Kressel
United States Bankruptcy Judge

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| NOTICE OF ELECTRONIC ENTRY AND FILING ORDER OR JUDGMENT Filed and Docket Entry made on 01/18/2011 Lori Vosejka, Clerk, by AMM |
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